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RIGHTS OF THE CHILD

Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Ofelia Calcetas-Santos

Addendum

Mission to the Russian Federation*

* The executive summary of this mission report is being circulated in all the official languages. The mission report itself, which is contained in the annex to the present document, is reproduced in the language of submission and in Russian only.

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Executive summary

Ms. Ofelia Calcetas-Santos visited Moscow and St. Petersburg from 2 to 11 October 2000, in the context of her mandate and met with officials of the following ministries; the Ministries of Labour and Social Development, of Foreign Affairs, of Justice, of Education, of the Press and Mass Media, of the Interior, and of Health. She had meetings at the General Prosecutor's Office and with the Committee on Women, Family and Youth Affairs of the State Duma, the Ombudsman of the Russian Federation and, in St. Petersburg, with the Committee on Family Childhood and Youth Issues, the Children's Rights Ombudsman and the Federation of Trade Unions.

The mission also involved visits to State institutions, including orphanages and medical centres, and meetings with United Nations agencies and other international organizations, with academics and with NGOs. Ms. Calcetas-Santos also carried out on-site evening visits to observe the situation of children living on the streets.

The report reflects her findings regarding the situation with regard to the sale of children (in the context of international adoption), child prostitution and child pornography. The Special Rapporteur also considers the problem of child labour.

Particularly problematic is the plight of "social orphans" - children without any effective care givers in their lives. The report examines some of the reasons for the steady increase in the numbers of children thus affected, particularly drug and alcohol abuse, and familial violence. Statistics relevant to social orphans, particularly in the context of sexual exploitation, are provided.

Conclusions

The particular concerns of the Special Rapporteur with regard to the situation of children in the Russian Federation are the following:

(a) The plight of "social orphans" - children who do not have an adequate family situation in which to grow. This is largely attributed to extensive alcoholism among the adult population, which is also spreading among the younger member of Russian society. Most street children have been affected by this problem. The solution so far has been to place the child in an institution, rather than confront the root problems behind his or her plight.

(b) The lack of sex education in schools, which has led to great ignorance among children and resulted in many cases of sexually transmitted diseases in children, as well as a belief among many children that prostitution is a glamorous and prestigious way of life. The Special Rapporteur recognizes that the Government has tried to initiate a programme of sex education, but this has so far been met with hostility by children's parents.

(c) In Moscow, the low priority given to the concerns of the Special Rapporteur's mandate by the authorities, and the lack of cooperation between the Government and NGOs were of particular concern. The situation in St. Petersburg was remarkably better in this respect.

Recommendations

The Special Rapporteur makes the following recommendations:

(a) At the World Congress Against Commercial Sexual Exploitation of Children held in Stockholm in 1996, Russia signed the Declaration, which included a commitment to implement the Plan of Action by 2000. This has not yet been done, and the Special Rapporteur would urge the Government to take immediate measures to ensure that the Plan of Action is implemented.

(b) Resources need to be allocated to provide training in child rights for all individuals working in the public sector, particularly law enforcement officials.

(c) Special courts must be established to deal with minors and minors affairs, and all judges provided with child rights training, particularly in the area of juvenile justice.

(d) The creation of a post of children's Ombudsman should be further explored and issues relating to sexual exploitation, drug and alcohol abuse, and homelessness placed high upon the Ombudsman's agenda.

(e) The government policy of placing children in need primarily in shelters and orphanages should be reviewed to allow for greater use of foster parents, which would give children a better chance to be protected and cared for, and to learn important life skills in preparation for adulthood. Local authorities should be instructed to promote care within a family as much as possible.

(f) Networks of street educators trained to encourage children to leave the streets should be developed. If such networks could be established in every city, potentially every social orphan could be provided with a contact point.

(g) As prostitution is reportedly centred around railways, hotels and main thoroughfares, an awareness campaign should target individuals who work in these sectors, to encourage them to report cases of children being solicited and to prevent such activities being carried out on their premises.

(h) The media needs to be mobilized and involved to a much greater extent to address the growing problems of violence and pornography. However, a full understanding of the issues involved is required before the mass media should attempt to discuss such delicate issues.

(i) With respect to the taboos surrounding any discussion of sex and the difficulties faced by the Government when trying to introduce sex education in schools, the Special Rapporteur strongly recommends that the Government consider combining sex education with essential awareness-raising on HIV/AIDS for schoolchildren.

(j) Trade unions should take the opportunity to meet with managers of business corporations to explore the possibility of apprenticeship programmes for young people.

Annex

MISSION TO THE RUSSIAN FEDERATION OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

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Introduction

1. At the invitation of the Government of the Russian Federation, the Special Rapporteur on the sale of children, child prostitution and child pornography carried out a fact-finding mission to the country (Moscow and St. Petersburg) from 2 to 11 October 2000, in the context of her mandate. During the visit she met with representatives of governmental and non-governmental organizations, as well as of various United Nations organizations. The Special Rapporteur thanks all those involved in the preparation of her mission, including the United Nations Children's Fund (UNICEF) and the International Labour Office (ILO) for substantive input, and would like to take this opportunity to express her particular appreciation to the Office of the United Nations High Commissioner for Refugees (UNHCR) for the very competent and thorough logistical assistance provided to her throughout her mission.

2. During her visit, the Special Rapporteur met with officials of the Ministries of: Labour and Social Development; Foreign Affairs; Justice; Education; the Press and Mass Media; the Interior; and Health. She met with the General Prosecutor's Office, the Committee on Women, Family and Youth Affairs of the State Duma, the Ombudsman of the Russian Federation, and in St. Petersburg, with the Committee on Family Childhood and Youth Issues, the Children's Rights Ombudsman and the Federation of Trade Unions.

3. Her mission also involved visits to State institutions, including orphanages and medical centres, meetings with United Nations agencies and other international organizations, with academics and with NGOs. The Special Rapporteur also carried out on-site evening visits to observe the situation of children living on the streets.

I. GENERAL CONCERNS

A. Sale of children

4. During her meeting with the Deputy Minister of Labour and Social Development, the Special Rapporteur was advised that the problem of the sale and trafficking of women is more acute than that involving children. The growing media attention and public awareness surrounding this issue was particularly welcomed by the Head of Division on Social Development Issues of the Human Rights Department.

5. International adoption was not considered to be a common motive for the trafficking of children. It was reported that long-established bureaucratic procedures are still in place and that Russia is still very much a closed State with respect to travel abroad, making it very difficult to take children out of the country. However, certain problems were reported. These include huge bribes being offered to judges and orphanages to speed up the adoption process, while the police have reportedly been very reluctant to take any responsibility to curtail such abuses. The General Prosecutor's Office reported that there had been a great demand for Russian babies since the collapse of the Soviet Union. In 1999, the Office had carried out a survey on inter-country adoption and was alarmed to discover that although priority was supposed to be given to Russian parents wishing to adopt, many children were being sent abroad.

6. The Ministry of Education runs a State database on children available for adoption and is responsible for applying decrees of adoption, mainly to Russian parents. However, the Ministry agreed that international adoption was a serious issue and could potentially be very problematic if the number of foreigners wishing to adopt Russian babies continued to increase and the number of Russians wanting to adopt continued to decrease. This decrease was attributed by the Ministry to the current socio-economic conditions in the country. However, the Chairperson of the Committee on Women, Family and Youth Affairs of the State Duma reported that only 20 per cent of Russian parents asking to adopt could actually do so, as so many children were being adopted abroad.

7. In St. Petersburg, representatives of the Committee on Family, Childhood and Youth Issues advised the Special Rapporteur that in 1999, 700 children from the city were adopted, 200 of them by Russians and 500 by foreigners. Many of these children had serious illnesses and handicaps, and had been living in orphanages. The Committee reported that neither Russian families, the city nor the State had the resources to treat such children and so they were adopted abroad in order to have the best chance of survival. However, the city authorities continued to monitor every child adopted abroad from St. Petersburg and had not come across any case in which a child had been abused after being adopted.

8. The Russian Federation has not yet signed the Hague Convention on International Cooperation and Protection of Children in respect of Inter-country Adoption, but the Ministry of Education reported that the Convention was about to be adopted. The Ministry considered that no measures would fully guarantee children's safety and their inviolability against abuses, but explained that in each country to which Russian children were adopted, there is an accredited organization with which the Russian authorities work. These organizations have to have been working for five years in their home countries before the Russian authorities will provide the necessary accreditation and begin processing international adoptions through them. The General Prosecutor's Office agreed that the procedure for inter-country adoption was quite strict and indicated that each year amendments were made to adoption legislation to stop children being taken out illegally. On 29 March 2000 Decree 275 stipulating the rules for transfer of children for inter-country adoption was adopted. Criminal liability for the trafficking of children is provided for under the Criminal Code and sentences can be between 5 and 15 years, depending on the severity of the offence.

9. Staff of the General Prosecutor's Office attributed the growing number of children being adopted outside of the country, despite these measures, to the increasing involvement of middlemen, who were finding various ways to circumvent the legal provisions. Although they were not able to explain all the details to the Special Rapporteur, they alleged that many of these middlemen are former orphanage directors who select children and give information about them to adoption agencies that are operating illegally, which are somehow then able to gain access to the children.

10. Staff of the General Prosecutor's Office also reported cases in which Russian women are paid to travel abroad and give birth there, thus facilitating legal adoption. There was also the possibility that illegal international adoptions could take place if children left Russia with the man that their unmarried mother had falsely named as their father on their birth certificate.

B. Child prostitution

11. Sexual exploitation of children within the Russian Federation was reported to be a bigger problem than that of trafficking, and both governmental and non-governmental bodies agreed that within Russian society, prostitution is an accepted way of life. Prostitution is reportedly a widely developed business and, if the child is over 14, it is not considered to be a crime unless violence is involved. As a result of this attitude towards prostitution, it is very difficult to gauge its magnitude.

12. Entry into prostitution was attributed primarily to the very difficult economic conditions and to sexual abuse within the family. NGOs estimated that over 50 per cent of child victims of sexual abuse suffered abuse from a family member and a large percentage of children in prostitution had previously been victimized in this way. There are also many cases of children having lived in institutions for several months or even years, leaving at the age of 18 with only very minimal education and social skills, and having nowhere to go. These youngsters are at particular risk of entry into prostitution.

13. Once a child has entered prostitution, his or her activities often become controlled by mafia networks. Given the societal acceptance of this way of life, many children, mainly girls, see prostitution as almost a prestigious career. NGOs reported seeing both boys and girls between the ages of 13 and 19 prostituting themselves quite openly to older men around the metro stations of Moscow. Where pimps are providing the children for prostitution, the pimps' earnings can exceed 200 dollars per day, but much of this amount then has to be shared with other individuals as "protection" money.

14. The Special Rapporteur was advised of one case in which a boy travelled to Moscow from another region and found work as a shop assistant. He was raped by the shop owner and then given money to keep quiet about the attack. He realized that prostitution would be a more lucrative way of earning and started to prostitute himself regularly.

15. NGOs in Moscow also reported the existence of underground cellars to which girls as young as eight are tricked into going, to then be sexually abused by older children or adults. In cases such as these, the police have reportedly been very reluctant to get involved and even parents have not wanted to take action. NGO representatives who work directly with children on the streets are regularly threatened when they try to intervene. Suspicions were voiced to the Special Rapporteur that this is connected to the fact that prostitution provides criminal organizations with an outlet that is not disruptive to the State and as such the authorities are unwilling to take any action which might unbalance the delicate status quo. Allegations were also made that the police tolerate the activities of the children because the children are used as informers in the criminal underworld. Other allegations were made to the Special Rapporteur that some State officials are also closely involved in the prostitution networks and that some parents and care givers working in children's institutions make money from the prostitution of the children they are supposed to protect.

16. The General Prosecutor's Office advised the Special Rapporteur that it was focusing attention on the prevention of child prostitution and pornography through carrying out investigations, supervising the investigations carried out by subsidiary bodies and ensuring that

the individuals who draw the children into the trade are taken to court. The Office reported that there is a wide network of over 700 crisis centres in the country, to which children who are without anyone to look after them are taken.

17. The Special Rapporteur learnt that the plight of street children and those involved in prostitution is taken much more seriously in St. Petersburg. NGOs confirmed that the authorities in the city understand that tackling these problems is crucial. However, even having more enlightened and child-sensitive authorities has not helped those children who are too fearful to speak out about the abuse and name the perpetrators. The Special Rapporteur was advised that boys are usually ashamed and find it very hard to admit that they are in prostitution. One NGO working with street children in St. Petersburg reported that it knew who many of the pimps are but cannot take any action on the basis of hearsay evidence alone.

18. With the assistance of an NGO whose street educators go out at night to feed and otherwise assist street children, the Special Rapporteur visited some of the areas in St. Petersburg where these children are known to prostitute themselves. Near to train stations and around certain hotels, she spoke to some of the children. She was advised that the mafia used to be very involved in the organization of child prostitution, even to the extent at one time of renting out sleeping places on the roof of hotels, where clients could take the children to be abused. Although the mafia involvement is now much reduced, the opening of Russia's borders over the past decade and the proximity of St. Petersburg to Finland has resulted in an increase of visiting sex tourists from Scandinavian countries, some of whom are suspected to have become involved in the organizational side of prostitution in the city.

19. The children whom the Special Rapporteur met were alarmingly young. She spoke to one girl who was just 13 years old and already had a one-year-old child. The girl had previously told the representative of the NGO that her family has money, but has no time for her. Accordingly, she tries to maintain her self-esteem by earning her own money. The Special Rapporteur was advised that some of the children's pimps were children themselves - some as young as 16 - who, if unable to sell themselves, make money by selling someone else. Under the current legislation, being a pimp carries no criminal liability.

20. The Special Rapporteur met representatives of the Research Group of St. Petersburg State University, which has been studying the situation of child labour and child prostitution in the city. Working with sociologists from various institutions, the Research Group began interviewing children in August 2000. By the time of the Special Rapporteur's visit, over 100 boys and girls under the age of 18 involved in prostitution had been interviewed, including some as young as 9. Members of the Research Group posed as clients and interviewed pimps; they also spoke to experts and received information from a wide range of sources.

21. The Research Group concluded that the main motive for children entering prostitution was economic. Children stated that they did so in order to obtain money to buy food (earning an average of 350 roubles per day) and because they considered that they had no viable alternatives. In some situations, particularly as far as boys are concerned, the children may have good relationships with their abusers. The drop-in centre of Médecins du Monde confirmed that, in some cases, it is the abuser who brings the boy in to be medically checked out.

22. The Research Group also concluded that some government structures, including the police, have a vested interest in what is going on and do not want to prevent children from being involved in prostitution.

23. In its preliminary report, the Research Group made several recommendations. It stressed the importance of involving children much more in the education process and of giving them skills. Most of the children who were interviewed were reportedly keen to study. The Research Group also considered that the city government's idea of establishing a children's village outside St. Petersburg, comprising several houses occupied by children with a woman living among them as a mother figure and housekeeper, could be a successful alternative to the children's current lifestyle.

24. The Criminal Code establishes criminal liability for clients who use children in prostitution, making it punishable with a maximum sentence of four years, or six years if the act is coupled with violence against children.

C. Child pornography

25. The Ministry of Justice reported that the production and dissemination of child pornography is spreading and becoming a serious problem. In 1999, there were 295 convictions for distributing child pornography, which represented an increase of 13.5 per cent over the previous year.

26. In Moscow, NGOs reported that a whole pornographic films industry has been established, often using children aged 15 or 16. In some cases, girls are approached in public places, such as parks, and offered 15 roubles to be photographed elsewhere. If the girls agree, they are usually taken to an apartment, asked to undress and then are filmed. NGOs reported that these films are usually not especially indecent and the girls do not consider that they have done anything particularly shocking. The younger the child is, the more expensive the cassette. The existence of a special video market where all kinds of video cassettes containing child pornography are available was reported.

27. Concerns were expressed that pornography is now becoming available to children in the form of lewd and obscene audio materials, especially the lyrics on music cassettes. One organization reported that some such audio cassettes had been distributed in the streets by adults to children for free, although the motive for such behaviour was unclear.

28. Concerning more serious cases involving children in pornography, the Ombudsman of the Russian Federation said that isolated instances are reportedly occurring in rural towns and smaller cities, but in larger places, the problem is greater. In particular, he referred to the case of the town of Sortovala, to which individuals from other areas have brought children to be used in pornography. The distribution of the pornographic materials is presumably facilitated by the fact that the town is on the border with Finland.

29. The situation in St. Petersburg was also reported to be serious and one NGO reported that its staff had met girls who told them that they had been approached and had agreed to be photographed, but had then woken up many hours or even several days later, with no memory of what had happened to them.

30. Immediately prior to the visit of the Special Rapporteur to the Russian Federation, Russian and Italian newspapers reported that Italian police had arrested three Russian members of an international child pornography gang and seized thousands of videos and photographs portraying mainly Russian children in pornographic poses. The materials were made available for sale over the Internet, catering to clients in the United States, Italy and Germany. Reports also claimed that the videos included footage of children being tortured and killed. Some of the victims had reportedly been kidnapped from Russian orphanages, others taken from their families.

31. During her visit, the Special Rapporteur met with representatives of NGOs who claimed that the activities of these three men, who operated in Novokuybyshevsk town in the region of Samara, were well known to the Russian police, but although they had previously been arrested for related crimes, none had served a jail sentence. Their releases were attributed to the weakness of current legislation and the difficulty of proving such crimes.

32. These difficulties arise because of the lack of definition under Russian legislation of what constitutes child pornography. It is subsumed under the general law prohibiting the distribution of pornographic material. Recently, a case brought against a magazine failed because the distinction between what is pornographic and what is merely erotic could not be established.

33. The Deputy Ministry of Justice advised the Special Rapporteur that the Ministry is currently preparing a draft to amend the existing Criminal Code, which does not contain any provision establishing liability for the involvement of children in prostitution or pornography where the child is over 14 and consents to the activity. The draft would include liability for using children in the creation of pornography and for the distribution of it, using the exact wording of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which was adopted by the General Assembly on 25 May 2000.

34. There is evidence of public awareness as to the dangers for children of becoming involved in pornography. During the night visit around the streets of St. Petersburg, the Special Rapporteur spoke to a group of boys, who then asked her to take their photograph. Before this could take place, a man who had been watching from a short distance quickly walked up to the group and warned the boys that the last time they had had their photo taken, it had ended up on the Internet.

D. Child labour

35. The legislation dealing with labour in the Russian Federation includes a separate section aimed at the protection of children from exploitive situations, with an annex that provides for the development of an independent monitoring body. For the past three years, pilot regions have

been provided with Ombudsmen for children and the Special Rapporteur was advised that serious consideration is being given to the possibility of having an Ombudsman for children at the national level.

36. The Special Rapporteur met with the Vice-Director of the Federation of Trade Unions and was encouraged by her awareness of the importance of dealing with exploitive child labour issues. Although employers' organizations are not well developed in the country, the Federation has established an action committee to deal with child labour. The trade unions have also adopted a number of measures aimed at alleviating the plight of street children. One such measure is the establishment of sports schools for children and youth. There are 35 such schools and their coaches go to regular schools and invite the children to attend the sports schools. Although the Federation currently provides free club facilities for children whether registered in the region or not, the Vice-Director admitted that a lot more needs to be done in this respect.

37. The Vice-Director of the Federation of Trade Unions also reported that the trade unions would welcome the opportunity to meet with managers of business corporations and explore the possibility of apprenticeship programmes for young people. The matter is still under consideration as the Federation considers what could be offered as an incentive for the business community to involve itself in such programmes.

38. In St. Petersburg, the State University reported that it would shortly begin training social pedagogues on child labour issues.

II. THE SITUATION OF "SOCIAL ORPHANS"

39. During the Communist regime, the State provided a structure through which the care of children was ensured from the time they were in kindergarten and which facilitated the indoctrination of certain norms of morals and behaviour. Since the collapse of the Communist regime, a child's parents have become primarily responsible for his or her care and many individuals are not equipped to handle this responsibility. Even the free time after school, which used to be organized for the children by social organizations, now poses problems both for parents and their children.

40. The Chairperson of the Committee on Women, Family and Youth Affairs of the State Duma advised the Special Rapporteur that the plight of an estimated 620,000 "social orphans" was about to be considered in a draft law to establish a State databank on children who are without supervision for whatever reason.

A. Alcohol and substance abuse

41. One of the main reasons for the proliferation of "social orphans" was reported to be the extensive levels of alcoholism among adults, and increasingly amongst children, in the Russian Federation. Virtually all individuals whom the Special Rapporteur met confirmed this fact. The reality of the impact of this phenomenon upon children's lives was brought vividly to the Special Rapporteur's attention during her night visit to the streets of St. Petersburg. The NGO representative who accompanied the Special Rapporteur spoke to a young boy who had not been

seen in the area prior to that night. The child told the group that he was nine years old and had come out on to the streets because his parents were drunk at home. He planned to return home, but if they were still drunk, he would come back outside and spend the night on the streets.

42. While alcohol addiction afflicts both the young and the old, drug abuse has been reported to affect young people predominantly. A sharp increase in the number of reported cases of drug abuse, including amongst girls, had been witnessed in recent months and the problem is reportedly critical among children who are neither studying nor working.

43. The legislation on drug use is complex. Trafficking and sale of drugs are illegal, but possession is not. A child user of prohibited drugs cannot be treated against his will, and only if the child commits a crime can the investigators look into the child's addiction.

44. The seriousness of the problem is recognized by all sectors. The media have been conducting intensive campaigns against drug abuse. The Ministry of Education has issued publications on how to prevent drug addiction among children and these are distributed to schools. Different strategies are used for different age levels. The Ministry reported that it also periodically holds conferences on prevention of drug abuse and rehabilitation. Centres and preventive facilities are starting to be established for child drug users and for children who are at high risk of using drugs.

45. Child prostitution in Russia was reported to be closely related to drug addiction and many concerns were expressed for the health and safety of boy prostitutes who are at particular risk of infection from the HIV/AIDS epidemic which is sweeping the country.

B. Violence against children

46. The representative of the Ministry of Education reported that violence and threats to children have been at the centre of its attention in recent years and efforts have been made to carry out research into the extent of the situation. Preventive efforts have included the provision of psychological services - at least one psychologist per school is made available to listen to children. Other services are provided by the Government that render educational, medical and social assistance to child victims of violence.

47. One area of violence against children that is very difficult to address is sexual violence. In Russia, any discussion of sexuality remains largely taboo. The Special Rapporteur was informed that the Ministry of Education had tried to implement sex education in schools. The programme, however, met with stiff opposition from several quarters and had to be discontinued. Consequently children remain in ignorance, not only with regard to recognizing threatening situations, but also to preventing risks to their person and health. The mass media have conducted awareness campaigns, but a great deal of work still has to be done.

48. A special governmental department deals with all affairs relating to women, children and the family. It participates together with other ministries in two governmental commissions on children's rights. The Commission on the Rights of Children is chaired by a member of the Government and monitors the implementation of the Convention on the Rights of the Child in the Russian Federation. The second commission is the Commission on Affairs Relating to

Minors, which is headed by the Vice-Prime Minister. This commission prepares reports on the most acute problems facing children, working in collaboration with ministries on areas within their competence.

49. The General Prosecutor's Office carries out investigations and supervises subsidiary bodies in the area of the prosecution of offences involving child prostitution and child pornography. In this connection, it not only works within the limits of the national boundaries, but also enters into international cooperation initiatives within its field of competence, by providing legal assistance, for example for crimes committed outside Russia. Extradition is the exclusive competence of the Prosecutor's Office.

50. The Department of Minors and Youth of the General Prosecutor's Office monitors the enforcement of law in all areas relating to youth and minors, and conducts investigations into crimes committed by minors, alone or with adults, or of which children are victims.

C. Médecins du Monde drop-in centre

51. Some useful statistics relating to the lives of children living on the streets, children in prostitution and other victims of sexual violence were provided to the Special Rapporteur when she visited a drop-in centre run by the NGO Médecins du Monde. The centre provides medical assistance to children who may wish to remain anonymous. Staff of the centre ask children, upon their arrival, to fill in a questionnaire, allowing them to provide a false name. The questionnaire covers medical and sociological aspects of the child's life. The information received indicates that the majority of street children who visit the centre are aged between 14 and 18.

52. In particular, the Special Rapporteur was given a statistical breakdown of a sample 56 questionnaires received from girls aged between 11 and 18. Forty-three per cent of these girls reported living on the streets, in cellars or on the roofs of buildings and 33 per cent lived with their families.

53. The majority of the girls reported having had their first experience of sexual intercourse between the ages of 11 and 13, of whom only 36 per cent had agreed to it on a consensual basis. Over 50 per cent of the girls had suffered sexual violence before they started an active sex life and 58 per cent reported suffering sexual violence at some time. Forty-five per cent reported that they had suffered sexual abuse by strangers and 12 per cent reported familial abuse; in 91 per cent of the cases, the abusers were men.

54. Seventy-seven per cent of the girls reported receiving gifts and money for sexual services, but none would admit to the staff of the centre that they were involved in regular prostitution.

55. The drop-in centre provides free testing for HIV/AIDS and other sexually transmitted diseases (STDs). From the sample of 56 questionnaires shown to the Special Rapporteur, it was found that 86 per cent of the girls concerned were suffering from at least one kind of STD. Only 60 per cent of the girls reported the use of condoms.

56. Staff reported that the use of contraceptive pills was very rare among the girls visiting the centre and that abortion was extremely common. Every tenth girl reported having had an abortion which might not have taken place until the twenty-first week of pregnancy. Many of the children seen by the staff had mental problems and, in some cases, staff suspected that they did not understand that they were pregnant.

57. The children who visit the centre even though they are still living at home reported a very low level of awareness and understanding from their parents of what they had suffered. The staff of the centre reported regularly being confronted with situations in which a child had been scolded by her parents after confiding in them that she had been raped. In one case a young girl visited the centre at the encouragement of a friend, who had been several times. The girl reported that she had been raped by a man one month previously, but when she complained to her parents, they did nothing about it. By the time she had built up the courage to come to the centre, much time had passed since the attack and vital evidence that might have helped with any investigation had been lost.

58. Staff at the drop-in centre, as well as staff of most of the other shelters visited by the Special Rapporteur, agreed that boys seemed to suffer psychologically much more than girls from sexual abuse and involvement in commercial sexual exploitation. They attributed this partly to the stress incurred by boys through experiencing a loss of self-esteem and believing that their future manhood and capacity to provide for a family had been taken away from them. In this respect, the importance was stressed of having men working in the social care sector, to whom boys usually find it easier to express themselves.

D. Access to shelters

59. Centres such as the Médecins du Monde drop-in centre are of vital importance to the many unregistered children living in cities such as Moscow and St. Petersburg. Although the Government provides shelters and institutions for homeless children and social orphans, these facilities are only available to children who are registered in the same city. This is particularly problematic in St. Petersburg in situations where families move to rural areas because they are cheaper, but their adolescent children find no employment prospects and so return to the city. By this time he or she has been registered in the rural area and thus has no access to government facilities in the city, if he or she then fails to find employment and accommodation. Furthermore, for the children to go to the shelters they need documents, such as medical certificates and identity papers, which they may not have if they have run away from home.

60. There are approximately 701 shelters for children in the Russian Federation and estimates suggest that between 7 and 11 per cent of the children living in them are sent there by the courts after having suffered violence. However, when faced with a case of violence against a child, the court can choose to return the child to the parents or to place him or her with relatives or in an orphanage or another type of institution, and it is likely that the children in the shelters are only those who have suffered more severe violence. NGO sources in Moscow reported that an average of 1,000 children each year in Moscow are beaten and injured by their parents, sometimes so badly that they are handicapped.

61. Of particular concern is the lack of preparation given to the children in the institutions and orphanages for the time when they reach adulthood and will be released. While their basic needs are usually attended to, there is little training for the drastic changes that living independently will bring. Lacking any life skills and uneducated in the ways of the outside world, they are at particular risk of falling prey to exploiters and often end up living in the streets.

III. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

62. The particular concerns of the Special Rapporteur with regard to the situation of children in the Russian Federation are the following:

(a) The plight of "social orphans" - children who do not have an adequate family situation in which to grow up. This is largely attributed to extensive alcoholism among the adult population, which is also spreading among the younger members of Russian society. Most street children have been affected by this problem. The solution so far has been to place the child in an institution, rather than confront the root problems behind his or her plight.

(b) The lack of sex education in schools, which has led to great ignorance among children and resulted in many cases of sexually transmitted diseases in children, as well as a belief among many children that prostitution is a glamorous and prestigious way of life. The Special Rapporteur recognizes that the Government has tried to initiate a programme of sex education, but this has so far been met with hostility by children's parents.

(c) In Moscow, the low priority given to the concerns of the Special Rapporteur's mandate by the authorities, and the lack of cooperation between the Government and NGOs were of particular concern. The situation in St. Petersburg was remarkably better in this respect.

B. Recommendations

63. The Special Rapporteur would make the following recommendations:

(a) At the World Congress Against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, Russia signed the Declaration, which included a commitment to implement the Plan of Action by 2000. This has not yet been done, and the Special Rapporteur would urge the Government to take immediate measures to ensure that the Plan of Action is implemented.

(b) Resources need to be allocated to provide training in child rights for all individuals working in the public sector, particularly law enforcement officials.

(c) Special courts must be established to deal with minors and minors affairs, and all judges provided with child rights training, particularly in the area of juvenile justice.

(d) The creation of a post of children's Ombudsman should be further explored and issues relating to sexual exploitation, drug and alcohol abuse and homelessness placed high upon the Ombudsman's agenda.

(e) The government policy of placing children in need primarily in shelters and orphanages should be reviewed to allow for greater use of foster parents, which would give children a better chance to be protected and cared for, and to learn important life skills in preparation for adulthood. Local authorities should be instructed to promote care within a family as much as possible.

(f) Networks of street educators trained to encourage children to leave the streets should be developed. If such networks could be established in every city, potentially every social orphan could be provided with a contact point.

(g) As prostitution is reportedly centred around railways, hotels and main thoroughfares, an awareness campaign should target individuals who work in these sectors, to encourage them to report cases of children being solicited and to prevent such activities being carried out on their premises.

(h) The media needs to be mobilized and involved to a much greater extent to address the growing problems of violence and pornography. However, a full understanding of the issues involved is required before the mass media should attempt to discuss such delicate issues.

(i) With respect to the taboos surrounding any discussion of sex and the difficulties faced by the Government when trying to introduce sex education in schools, the Special Rapporteur strongly recommends that the Government consider combining sex education with essential awareness-raising on HIV/AIDS for school children.

(j) Trade unions should take the opportunity to meet with managers of business corporations to explore the possibility of apprenticeship programmes for young people.

Appendix

SELECTED LIST OF ORGANIZATIONS AND INDIVIDUALS THE SPECIAL RAPPORTEUR MET DURING HER MISSION

Moscow

Ms. Galina Karelova, Deputy Minister of Labour and Social Development

Mr. Evgeni Zabarchuk, Deputy Ministry of Justice

Mr. Andrej Nikiforov, Head of the Division of Social Development Issues of the Human Rights Department, Ministry of Foreign Affairs

Ms. Marina Korunova, Human Rights Department, Ministry of Foreign Affairs

Ms. Galina Khzan, Department for International Humanitarian Cooperation and Human Rights, Ministry of Foreign Affairs

Ms. Galina Trostanetskaja, Head of the Department of Social and Pedagogical Assistance and Rehabilitation of Children, Ministry of Education

Ms. Natalja Volkova, Head of the Department of Minors and Youth, General Prosecutor's Office

Ms. Karina V. Prytova, Public Prosecutor, General Prosecutor's Office

Mr. Leonid Ermolaev, Head of the International Law Department, General Prosecutor's Office

Ms. Svetlana Gorjacheva, Chairperson of the Committee on Women, Family and Youth Affairs of the State Duma

Ms. Zaya Vazontsova, Deputy Chair of the Committee on Women, Family and Youth Affairs

Mr. Aleksandz Bazannikov, Deputy Chair of the Committee on Women, Family and Youth Affairs

Mr. Oleg Mironov, Ombudsman of the Russian Federation

Mr. Rashid Feyzukhanov, Deputy Head of the Directorate of International Cooperation

Dr. Andrey Lebedev, Head of Department, Office of the Commissioner of Human Rights in the Russian Federation

Mr. Andrej Romanchenko, Deputy Minister, Ministry of the Press and Mass Media

Mr. Nikolay I. Martyanov, Chief of the Department of International Relations, Ministry of the Press and Mass Media

Mr. Vladimir Kondratiev, Ministry of the Interior

Ms. Valentina Chumicheva, Department for Medical and Social Assistance to Children and Adolescents, Ministry of Health

Elena Kuprianova, Ministry of Labour and Social Development

Mr. Akopian Igor Ashotovich, Director of Orphanage No.15

Mr. Boris Altshuler, Rights of the Child Human Rights Organization, Russian Human Rights Research Centre

Mr. Anatoly Severny, Association of Child Psychiatrists and Psychologists

United Nations and other international agencies

Mr. Vladimir Pavinsky, United Nations Information Centre, Moscow

Ms. Anna Johansson, Office of the United Nations High Commissioner for Refugees (UNHCR), Moscow

Ms. Andrea Tauber, UNHCR, Moscow

Arkadiusz Majszyk, UNAIDS, Moscow

Dr. Lyubov Yerofeyeva, United Nations Population Fund, (UNFPA), Moscow

Ms. Minna Hanhijarvi, International Labour Organization (ILO), Moscow Area Office

Ms. Rosemary McCreery, United Nations Children's Fund (UNICEF), Representative for the Russian Federation, Ukraine and Belarus

Mr. Victor Leonov, Head of the Information Section, United Nations Development Programme (UNDP)

Ms. Irina G. Leonova, UNDP

Mr. John Galpin, International Organization for Migration, Moscow

St. Petersburg

Mr. A.M. Khazov, Committee on Family, Childhood and Youth Issues

Ms. L.D. Ogneva, Children's Rights Ombudsman

Dr. Alla Pavlovna Surovtseva, Médecins du Monde

Mr. Vladimir Sergeivich Spirin, St. Petersburg Committee on Children, Youth and the Family

Ms. Elena Nikandrova, St. Petersburg Committee on International Relations

Ms. N. Bondarenko, Director of "Child in Danger" State children's rehabilitation centre

Mr. Kjell Gerdin, St. Petersburg Society for Child Protection

Ms. Liza Gerdin, St. Petersburg Society for Child Protection

Dr. Michail Akimov, Medical Coordinator, Médecins du Monde

Ms. Larissa Kouzmina, street social worker, Médecins du Monde

Mr. Michail Nikitin, psychologist, Médecins du Monde

Ms. Vera Smirnova, Research Group of St. Petersburg State University,
Regional Non-governmental Charitable Foundation for the Protection of Children

Ms. Svetlana Snopova, Research Group of St. Petersburg State University

Elena Voronova, Research Group of St. Petersburg State University, Lecturer in Social Work, Sociology Department

Mr. Sergei Ivanov, Research Self-government Centre (Institute for Regional Economic Problems, Russian Academy of Sciences)

Ms. Nadezhda V. Koblova, Liaison Officer, UNDP

Ms. Tatiana Voronina, President of the Regional Non-governmental Charitable Foundation for the Protection of Children

Ms. Svetalana Egoricheva, Vice-President of the Regional Non-governmental Charitable Foundation for the Protection of Children

Dr. Anatoli Geleznov, Clinic for street children

Mr. Slava T. Khodka, General Manager, St. Petersburg Centre for International Cooperation

Mr. Sergei Vamin, Ministry of Foreign Affairs

Ms. Natalia Meleshko, Social worker

Ms. Victoria Dgeja, Social worker

Ms. Olga Uhatuk, International Society for Mobile Youth Work

Mr. Stephan Verner, International Society for Mobile Youth Work

Ms. Tatiana Eliseeva, Vice Director, Federation of Trade Unions

United Nations and other international agencies

Ms. Rouzanne Ivanian, UNICEF, St. Petersburg

Ms. Marina Konovalova, UNHCR

Mr. Alexei Y. Boukharov, International Programme on the Elimination of Child Labour (IPEC), National Programme Manager, ILO

Ms. Tatiana Lineva, President, Red Cross, St. Petersburg and north-west region

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